G. R. S. 59]

GP$_B$—15,000—20-12-15

GENERAL AND REVENUE SECRETARIAT.

1902-03
191
(Madras)

File No. 192

Serial Nos.

Papers Filed.

*Month*_____

SUBJECT.

Rejecting the petition of Visweswaraiah of Kigga appealing against the Dy: Commrs order directing the adoption of Coercive measures for the recovery of arrears of rent due by the petnr on the inam lands of the Sri Rishya Sringeswaraswami temple at Kigga, Koppa Taluk

PREVIOUS REFERENCES.	LATER REFERENCES.

MUZRAI DEPARTMENT.

OFFICE NOTE.

Subject.

Adopting coercive measures for the money due to the Muzrai Department

LAST REFERENCE:—

~~Letter No.~~ ~~dated~~

~~from~~

memo dated 23rd July, 03 from the Secretary to Govt., Legal & Rev Depts

The two cases cited by the Assistant Secretary are herewith submitted —

There are other precedents also to show that such matters were dealt with in the Muzrai Department. They are as follows: —

(1) Sale of lands in the Kittigamahalli village, Arakal Taluk, belonging to the Sivaganga Mutt.

and

(1) Sale of Sunnyasikalli village in the Devanahalli Taluk, belonging to the Sirsi Mutt

20.3614. En 4 files.

Forwarded to the Govt Secy
The precedents shew that the case
of the kind referred to above are
being dealt with by the Govt of

This case to me while
I was acting as Govt & Rev Secy.
Forwarded to the Secy
Govt & Rev Depts —

26/7/04 Asst Mily Deptt

360

As this is a Mooghul question
transferred to the Mooghul Secy
Probably this is a case for a
Committee of Councillors

28/7/1904 Secy to Govt

Submitted

28/7/04

This is a case which has to be
dealt with by a Committee of the Council
After their orders are passed, the
decision will be communicated
from the Mysore Deptt

3/9/04

Subd to the Decision
through the 2nd Sr

9-04.

G.R.S. 12]

Genera and Revenue Secretariat.

File No. of 190

Serial No.

Shall not be dealt with in the usual way on the appeal against the decision of the Commissioner attached to the papers forwarded for the recovery of Rangoon dues on main hands attached to the Rangoon Pilotage Commission and forwarded to this office, by the Commissioner with the request that the facts may be inquired into and reported to me for disposal

9/4/04

Received 10/9/04

11.9.04
1514

I agree with the Commissioner that the delay by Mr Stanton and myself on both occasions of the postponement is not explained

19.IX.04

Contn. sheet.

MGCPB- 10 000—13-5-04

Re-subd to the 2d Councillor with the Jewand Remarks

I am sorry I have no explanation to offer as regards delay except that owing to the pressure of other business this File fell into arrears.

I have the honor to be
Sir
Your obedient Servant
24/9/04.

RD 24.9.04.

as the Dy Com's proceedings
appeal were obviously taken under
the L.R. Code, the appeal should
dealt with in the Rev Dept. In
favour of the 2nd view it may
be pointed out that there are
been ~~Cases~~ precedents in which
Such appeals were dealt with
by the Mazrai Dept. The latter
Dept would be able to point to these
precedents (I remember 2 cases,
one relating to the sale of lands in
Coorg & another relating to certain
Lands belonging to the Devaswom
Mutt in Nelamangala Taluk)

Sec'y 12/2/03

Referred to the Dy. Secretary, Revs.
Dept for favour of remarks & prece-
dents, if any. 23.2.1903
A. Manjunadayya

To Mazrai Dept
24/2/03

GOVERNMENT ORDER

After careful perusal of the records c[illegible] now with the case of Visveswariah, I think the only point requiring order is, whether the sum of ₹ 400 paid by [illegible] geri Mutt, ₹299-4-0 in cash and 100-12-0 in materials, included in the sum of ₹ 700 promised by Visveswariah [illegible] tribution towards the restoration of the Gopuram of the Kigga Temple. The Jahgir Deputy Amildar's letter clears any doubt that may be entertained on this point, as he states that the subscription by the Mutt is independent of all subscriptions that might be collected from the disciples. Further, the sum of ₹299-4-0 above referred to, was paid to the Koppa Taluk Treasury direct by the Mutt on 3rd Dec. '94 and the materials were handed over to Visveswariah, while the sum of ₹ 700 promised by Visveswariah was paid by himself to the same Treasury on the 28th Dec. '95 i.e. a year later than the Mutt remittance. If therefore, the sum of ₹ 400 being the Mutt's subscription were included in the sum of ₹ 700, Visveswariah would not have failed to deduct the amount from the payment made subsequently by him, or if he pleads ignorance of the cash payment by the Mutt, he would certainly have deducted atleast the value of the materials from the 700 which he paid. In this view the claim of Visveswariah cannot be admitted. Government therefore do not find sufficient reasons to reverse the order of the D.C. who has rightly directed the Amildar to recover from Visveswariah the sum of ₹ 299-4-0 due by him to the temple as also the outstandings for the year02-0

Submitted to the Dewan Sd
1/10/04

Draft Sd 6/10/04

Issue Sd 7/10/04

Submitted
1/10/04
Manuscript
Withdrawn from this
now

X.04

Mysore Department

Note for orders

Subject :- Letter No 941
dated 11th January 1900
from the Dy Commissioner
Kadur District, reporting
on the petition of Viswesvarish
Parpathayya of the Sri Rishya
Sringeswaraswami Temple
at Kigeya, Koppa Taluk,
Complaining that the interest
on the Endowment Fund
invested by his father is
being credited to the Temple
Fund instead of the Same
being applied to the stipu-
lated services :—

In 1898

a petition was received ~~from~~ in this Office from

In 1898 Srikantasastry, X Letter No 1256 dated 26th January 1898

one of the Dharmadarsees of the Sri Rishyasringeswara-swami Temple at Kigga Kopba Taluk, the Dharma-darsee stated that, on examining the accounts of the temple, he found that, out of the receipts from the temple Inam lands, a sum of Rs 2108-13-4 remained uncollected; that the pay of the temple Servants had not been disbursed for the previous 6 months; ~~&~~ that the Parpathegar instead of remitting the Collections of the temple moneys to the Taluk Treasury and drawing therefrom

Vide Murgai Secy's
Letter no 1031 dated
12th February 1898
Secy A

Therefrom such amounts as might be required for expenditure from time to time mixed up the temple funds with his own private transactions. This petition was forwarded to the Dy Commr, Kadur District with a request to instruct the Taluk Amildar to examine the temple accounts and recover from the Sarpathgar all the temple funds now in his possession and deposit the amount in the Taluk Treasury to the credit of the temple. The Dy Commr was also requested to have all future Collections on behalf of the temple

duly deposited in the Treasury
the amounts required for
expenditure being drawn
monthly according to the
Fasdik Scale, as in the
case of other Inspam Institutions
and it was further observed
that no money collected
by the Parpathegar on behalf
of the temple should ever be
expended by him for any
purpose until the same
had been duly credited
in the Treasury accounts
And, as regards outstanding
arrears of temple receipts
and the arrears of pay due
to the temple servants the
Dy Comr was requested
to ~~see~~ fully enquire into the matter
and

and report the result to this Office for the information or orders of Government as circumstances might require.

With reference to the above, the Hon'ble Dy Commr (Mr F. E. C. Carr) ※ reported that :—

(a) that a Kulwar statement of demand of the temple inam lands was prepared for the year 1897-98; that the Amildar did the Jamabandi and prepared a Kulwar Demand Statement to which all persons interested in the matter agreed; and that steps were being taken to recover the arrears of the

※ Vide his Letter no 988 dated 1st July 1899.

Flag B

the year 1897-98;

(b) that on examining the accounts with a view to find out what arrears were actually due from the ~~Kudy Amildar~~ royots, and what amount the Sarpathagar himself was responsible for it was ascertained that Rs 2209-5-4 was due from the royots and that the Sarpathagar himself had to account for Rs 1909-2-4; and that he ~~to make the~~ issued necessary orders to the Amildar to recover these arrears (viz Rs 4118-7-8)

(c) that as regards non-disbursement of pay to the temple servants referred

1-

to in the petition, the grain
emoluments had already been
distributed to them but-
that the monthly cash pay-
-ments according to the
revised scale, which was
given effect to from September
1897,
were deferred for ten months
as there were then no funds
at the credit of the Institu-
tion
(d) that a bill for Rs 2066-11-4
for the above-said arrears
of pay was since passed
by Government in Pro
Proc G
No 702-3 dated 12th
May 1894
December 1898;
(e) and that orders
were issued to the Koppa
Amildar to immediately
credit all collections
in

in the Taluk Treasury,
forbidding the Pariahs
from appropriating any
amount, unless disbursed
by the Taluk Amildar
upon sanction previously
obtained

Thereupon, the
Dy Comrs letter was
recorded* with satisfaction,
and he was requested
to see that regular accounts
are maintained, both in the
temple and in the Taluk
Office, of the receipts and
Expenditure of the funds
belonging to the temple.

In a subsequent letter ⊕
the Dy Comr reported
that

* Vide Pro no 1092 dated 1st April 1899. Proy D

⊕ no 1035 dated 9th January 1901 Proy E

that out of the arrears of Rs 4118-7-8 outstanding as shown above, a sum of Rs 1977-6-9 in cash and Rs 207-14-0 worth of jewellery have been collected leaving a balance of Rs 1933-2-11 to be still due; and that active steps were being taken to recover the arrears.

This letter was also received with the remark that a further early report regarding the recovery of the balance due to the temple was awaited.

On 2nd May 1901, the Dy Commissioner reported that

Vide Govt Endo No 1201 dated 9th May 1901.

Secy H.

Letter No 1561 May 1901

Visweswariah, Parpathyar

of the Temple tendered his

resignation and recommended

that the same might be

accepted for the better

management of the affairs

of the temple. The Dy Commr

further recommended

that the nomination of one

Venkatachelliah, Shanbhogue

for the post of Parpathyar.

In reply, the Dy Commr

was informed that the resignation * of Visweswariah might be

accepted; and the appointment

of Venkatachelliah as

Parpathyar temporarily for

one year, was also sanctioned

and the Dy Commr was requested

* Vide this Office Docket-No 1212 dated 14th May 1901

G

15

to take very early steps for the recovery of the arrears ~~still~~ due from the retiring man and report the fact to this Office for information. No report has accordingly been yet received on this subject.

Now to turn to the present subject :—

On the 20th February 1899, this retired Purbathayar Visweswariah petitioned to this Office complaining that the interest on a certain Endowment Fund invested by his father for certain Services in the temple

was

was being credited to
the temple funds since 1888
instead of its being applied
towards the cost of the
stipulated services in the
temple. This petition was
forwarded to the Dy Comr with his office Orr
No 1123 dated 8th
April 1899
for report.

In reply, the Dy Comr,
Mr B. K. Venkata Varadiengar)
has submitted his detailed
report No 941 dated 11th
January 1900, fully explaining
the facts. The
Submitted
Ps
5/10/07 Letter is held
appended. In
the letter he chiefly states
of Rs 540,
that the interest on the sum
of Rs 3500 invested as Endowment
by the petitioner Viswesworaiahs
brother

brother Sultan Rao, for
the two years 1887-88 &
1888-89, which had been
due by one Hanmanta Sultan
ramanah who borrowed
the Sankarat amount was
recovered from the petitr,
as soon as
on the ground that the
received the amount from Sidhanath,
he should have first
credited the ~~amount~~ it
to the Salak Treasury &
then drawn it upon per-
mission for conducting
the stipulated services
that the petitioner prays
for the refund of this
amount. That he had
similarly collected the
interest amounting to
Rs 1008-10-6 for 1889-90
90-91 and 91-92 and
drawn

shown in the monthly account
for December 1892 as expenditure
in a lump; and that therefore
the account was being shown
against the petitioner, which
he prayed to be written off
the accounts, as he had
performed the stipulated
services, utilizing the
interest that had been
collected for the purpose —

Submitted

ks
5/10/01

Subd by the Bench.

The instalment of
Rs 13500 for Prabhakara
Puja loan, made by
Puttu Rai, legatee
of the petitioner. As
the mortgage deed of
1885 is not produced by
stated that the interest
was also paid to the
Pargana. Until May 1901,
the petitioner Viraraghava
continued as Pargadar
when he resigned it.
The sums shown against
them rebate are —
Rs 540, being the interest
for 1887–'88 and
'88–'87,
and
Rs 1008-10-6 for
the years 89–90, 90–91
and '91–'92.
These were accepted
Collector by the [illegible]

Vishnu Sharmah and the
Dy Commr, Coimbatore
that he should have in the
first instance directed
them to the Treasury and
then drawn, ordered
their recovery. The sum
of Rs 540 ~~due for~~ was
collected, but the other
amounts, not yet
been paid.

The petr alleges, that
he has spent the amount
for the pooja in question
and says that Rs 540
collected may be refunded
and the other amount
of Rs 1008-10-6
~~may be written~~ shown
against him may be
written off. As per
document of 1885, he
was constituted the
trustee for the collection
of the inheritance for
its application for
pooja services. It is
difficult now to

I declare his statement that the pooja was performed by him and the money was spent for that purpose. The endowment is from a member of his own family and the petr may therefore be presumed to have had a natural interest in keeping up the pooja He has advanced the paraphernalia and the endowment as well as the temple is in the management of South. I think that the petr's prayer may be granted, provided that he shows us the deficit may be utilized for any other source of income and transfer him to the temple

Sd/-
28.6.07

R/
28.6.02
4762

7163

Mere breathe great
delay in Mr Subrayan
getting reply.

Visveswaraya
has stated there
is no hold upon him
whatever the area,
due from him now
is mere expectancy
but there was state-
ment that he proposed
the Raja Prabhu
Mill and the purchase
deserve of the balance
of shares in the accounts
must be settled
for the same reason
an certainty no refund
is necessitated —

Action should
be taken to bring on
the endowment on
the list of the assets
of the Temple and to
provide separately for
the services as intended
by the donor.

13.IX.02

Rec'd 15th
Draft reply 15/9/02

Note continued

Orders were

were accordingly issued

in Govt. Res no 559-60
Mung Fi 1-94

Flag I. dated 20th September 1902

In February 1903,
Mr. M. Narain Rao, Dy
Commr, submitted for
sanction a bill for Rs
1366-9-10, being the Est-
charges due to the servants
of the temple from 1st
March 1901 to 30th June 1902,
stating that payments
had been withheld since
March 1901, for want of
funds at the disposal of
the temple. The payment
was accordingly sanctd
in Govt. Res no 2443-4
Mung Fi 1-94

Flag J dated 2nd June 1903.

This is so far as the
file

File of this Department is

concerned

Now coming to the Land

Department file :—

Visuvanathapillai addressed

a petition to the Queen in July 1902

appealing against the order

of the Dy Commissioner

attaching his immovable property

for the recovery of the arrears

of Kundasalai due to the Kiriyai

temple by him. A report was

called for from the Dy

Commr on the subject

In reply the Dy Commr

(Mr M. Narasimha Rao) reported

that the petitioner's immovable

property estimated at Rs 1725

was attached towards the

arrears of Kundasalai due by

him to the temple, which

amounted

O. M. No 255 dated
Pet
5th August 1902.

Letter No 412 dated
21st January 1903.

Henry K

amounted to Rs 5-9 5-0-1-3
(as detailed in the letter)
up to the end of 1901-02;
that towards the arrears
shown against him, he
paid off Rs 2008-10-0
from 1897-98 to the 30th
June 1902, as shown in
the statement marked D
leaving a balance of Rs
3941-7-3 still due by him
that he claimed a set off
to the extent of Rs 2694-4-9
(as detailed in the letter)
admitting his indebtedness
of the balance viz Rs 1247-2-6
that the (Dy Commr) would
settle all his claims
one by one after due enquiry
and that in the meanwhile

Hong L.

the

he had directed the Auditor
to recover from the petitioner
the sum of 1247-2-6 in
two instalments as agreed
to by himself. The Dy Comr
further stated that he
had directed the Auditor
to take coercive measures
if the payment was not
made within the end of
February 1903

On the Dy Comr's letter
one Ryangarenga Ryen, Asst-
Secretary, has raised
two questions, viz, whether
this appeal should be
dealt with in the Revenue
Department (in which case
he says it is a case for
decision by two Councillors)

in connection with the coercive measures adopted

or

or whether it should be decided in the Irrigation Department. In favour of both views the quotes some authorities - The Govt Secretary has referred the matter to the Irrigation Department " for favour of remarks & precedents if any".

~~IIII~~ In continuation of his Letter no 412 quoted in para above, the Dy Comr reports in his Letter no 460 dated 12th February 1903, that a of Rs 795-4-9, which was one of the items of the petitioners claims was

since

since found to be due to
him and had therefore
his item has been allowed
to be set off in favour of
him -

As regards another
item of Rs 299-4-4, the
Dy Comrs says that further
report will be submitted
on receipt of Vouchers
papers submitted to the
Surgeon Dept with his
letter no 971 dated 7th
February 1903. But from
the Surgeon Department
file no 1 of 1894 it is
observed that the Vouchers
records referred to in the
Dy Comrs letter no 971, were
forwarded to him with
the Dy Secretary's Docket-

no

No 2203 dated 11th

May 1-94

May 1903.

1902-03

No. 323

Name of Petitioner Visweswaraya

Village Kigga

Taluk Koppa

District Kadur

Date of Arzi

Date of Receipt 26-7-02

Date of Disposal

No. of Enclosure one - Order of D.C. Coun. Kadur, No. 41 of 21

Two Rupees Stamp affd. (Stamp cutt.)

By Coun's order appealed against remanded

A Telegram received from the Petr (as a reminder to this petition) with [illegible] remarks there on is herewith put up

Call for report - Intt

sd

5/8/02

8/Aug 01

ABSTRACT

Appeals against the following order of the Dy. Coun. No. 41 of 21-7-02. —

Order

"Your petn of 21-7-02, prays that the amount due to yr from the Temple of Kigga, may be deducted from the arrears due from you for the Kanday amm of the Temple and that the property attac may be released, Was perus and the idea of the order given in this matter to y

MGOPB—4,000—31-1-02

attachment of Koppa is hereunder
expired (No 535 of 12-6-02)

Call for all the arrears
due from Viswesvaraiya
except Rs 1321/- which he
shows under two items,
and, if he pays them up,
you may release the property
attached." × × × × ×

There is no reason to issue
an order contrary to this."

The petn. states

that he was the Parpathegar
the Kigga Temple, which post
resigned in August 1901 owing
his domestic difficulties.

That the demand notice
Rs 3270-10-0 was served on
in 1901, subject to the
condition that the petitioner's
movable property should be
in satisfaction of
amount, should there be
default of payment

That although a large
Rs 2381-10-9 shown in
the petn.) was due

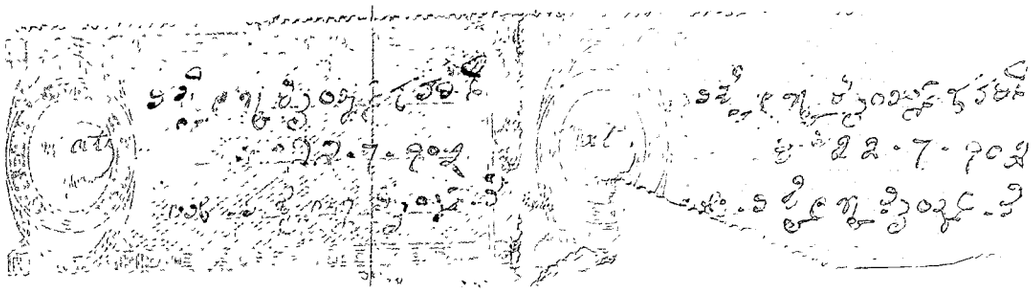
to him from the temple his movables estimated at about Rs 1725/- were attached

That the petr is a land owner paying an annual kandayam of Rs 6000/- and that his movables should be attached for a balance of the institution founded by his ancestors, when a very nearly equal amount is due to him from the temple is a loss of honour and social rank, which he cannot easily retrieve.

Prays for proper enquiry into the matter and stay of execution of the Dy. Comrs order, pending the disposal of this appeal.

Hy

5/11:



Petn

By post registered 26.7.02

Swaminathan Stamp wpp.

P. S. Krishnaiah Chetti & Co 3230
26-7-1902
Dewan of Mysore
Bangalore

1 Enclosure

323

The humble petition of Viswashwaraya of Kigga in the Koppa Taluq of the Kadur District

---

The petitioner most respectfully prays for leave to represent the following facts fully hoping to meet justice at the gracious hands of the Dewan.

(1) That the petitioner was the Pujaharegar of the Kigga temple, which post he resigned owing to domestic difficulties in August 1901.

(2) That the demand notice for Rs 3270-10-0 was served upon the petitioner in 1901, with the condition that the petitioners movable property would be attached in satisfaction thereof should there be default of payment. The petitioner on reference being made to his accounts, finding that the balances had been struck against him omitting good many items of sums due to him by Government, during the time the petitioner was in office in the temple, petitioner presented a petition putting in claims for the sums due to him, and prayed that reduction should be given by the aggregate amount with-held to the balance shown against him. In the

amount

meanwhile petitioner's servants took
cattle and carriage estimated at Rs 15/-
attached.

The sums due to the petitioner are:-

(1) Rs 540-0-0 On account of pratheshta
temple performed for chowdry
for which the interest charged
sanction at loan of Rs 25 of Rs
the petitioner's brother

(2) 400-0-0 paid amount of the above
bank in the name of the petitioner
demands with regard to the
charges having been made by the petitioner
was not drawn.

(3) Rs 871-10-9:- Paddiara charges of from 1st March, 1901 to
August 1901.

(4) Rs 120-0-0:- On account of the petitioner's bill for Rs 160/-
repairing the stone pavement of the
to the south of temple, deducting Rs
by the Taluq office.

(5) Rs 300-0-0:- The petitioner's contribution Rs 300/- and
Sringeri Matt's contribution Rs 400/- having
been paid by the petitioner to the Taluq office,
Matt's contribution Rs 400/- since received
received is due to the petitioner less the
of time viz Rs 100/- supplied to the petitioner
for the temple repairs

(6) Rs 100-0-0:- Amount held in reserve on the petitioner's
bill for Rs 600/- in respect of repairs to the
temple

Rs 2381-10-9.

Rs 760-11-10:- Arrear of revenue shown against the petitioner
for 1896-97 though there is no balance
due by him, which fact may be ascertained
by the Bakipatta and other records of the
Shanabhog.

Rs 22-1-0 :- Excess assessment charged for 1899-1900 in
respect of a Devadayam land purchased

on account by the petitioner after Rs. 11

[illegible]

to some satisfactory reply, have applied [illegible]
office the petitioner submitted according to the
Assistant Commissioner to give him a correct [illegible], by the
Rs 2381-10 7 actually due to him and also by the [illegible]
for 782-12-10 incorrectly shown against.

2. Thereupon orders were issued only to take steps for the sale
of area shown against the petitioner for the [illegible] amount
-ing to aggregate Rs 1321 10 7

The petitioner still having a very large sum of cash in
from Government, has escaped a petition to the Lieut Gover-
-nor-in-council. Chairman gave on the 21st instant to which the
petitioner was given an endorsement overlooking the wise saying
that orders previously passed namely the above could not
be reconsidered.

The petitioner again represented and gave the 22nd instant
praying that the orders given on his petition yesterday have
no reference to the petitioner's other claims and the matter
may be kindly reconsidered, which was not accepted and no
endorsement given.

The petitioner is a land owner paying an [illegible] peshcush of
of nearly Rs 6000 7 that the petitioner's moveable property
should be attached in respect of a balance of the instalment
founded by his ancestors, when a very nearly equal sum
of money is due to him from Government, is a loss of
honor and social rank & respect, which he could not
easily retrieve.

Ventures therefore to most respectfully place at the
gracious hands of the Dewan, the fountain of all justice, mercy
and Kindness for issue of orders for a decision [illegible] being

[illegible]

made and for the sale proceedings to await the final
disposal of the petitioners' [illegible]

255

MYSORE DEWAN'S OFFICE.

PETITION DEPARTMENT.

OFFICIAL MEMORANDUM.

The accompanying Appeal Petition No. 323 ~~dated~~ without date received on 26-7-02 at the Dewan's Office from Visweswa-riah of Kigga, Koppa Taluk, against the Dy: Comrs order in the matter of the petrs property attached for the recovery of the arrears of Kandayam due to the Kigga Temple is forwarded, together with its one enclosures, to the Deputy Commissioner of the Kadur District for submission of the entire proceedings connected with the case, together with a full report of the facts of the case, and on the points urged in the petition.

2. The petition with its enclosure should be returned.

By order,

For Secretary.

BANGALORE,
5—8—1902

5117-1902-03.

FROM B. Ref. 273. Krishnaiengar Esq.
Deputy Commissioner,
Kadur District

To H. V. Nanjundiah Esq. M.A. M.L.
Secretary to the Government of
Mysore, Jud. & Rev. Depts.

Dated 6th November 02.

Despatched 8/

Received

General No. 2-80
No.

Enclosure No.

Stating that a report will be submitted on the petition of Viswesvariah of Kigga on receipt of further information called for from the Amildar of Koppa

Peti
10/11/02

(Resp. Int. Sup.)

Ack
11-11-02

further report promised by the Dy Comr. to be awaited

Ack
12-11-02

Send rem. a week hence if A.C. report is not received then

MGCPB—3-3-01—500 Forms.

D/f reminder for Dy C
NB 27/11/02

Office of the Deputy
Commissioner, Kadur
District

Dated, Chikmagalur 6th November 02.

From

B. G. Krishnaiengar Esquire
Deputy Commissioner
Kadur District

To.

H. V. Nanjundiah Esquire M.A. Bar.L
Secretary to the Government
of Mysore, General and
Revenue Departments

Sir,

With reference to Government official memorandum No. Pet/258 of the 5th August 02 and subsequent reminder No. Pet/714 of the 3rd November 02, I have the honor to state that as the information furnished by the Amildar of Koppa on the several points alleged by the petitioner Viswesvaria of Kigga was incomplete, further particulars have again been called for, and the matter will be reported immediately on receipt of his reply.

I have the honor to be
Sir,
your most obedient servant,

Deputy Commissioner
Kadur District

1902 03
1873

From Rao Bahadur Appaya Rao Esqre
Deputy Commissioner,
Hadur District

To H. V. Nunjundaiya Esq B.A. Mrs
Secretary to the Government
of Mysore, General and
Rev Depts

Dated 19th January 1903

Despatched 21st

Received

General No. 412.
No.

Enclosure No I V File

Reporting on the petition of Visweswaraiah of Hegga appealing against the Deputy Commissioners order to attach moveables in satisfaction of arrears due to the temple of Hegga.

Pti
22.1.03

Mucz Deptt
Please put up mucz file
No 1094 containing the
Bangalore refs & return

All
22-1-03

MGCPB—50 reams.—6-12 02

Office of the Deputy
Commissioner, Kadur
District

Dated, Chikmagalur 19th January 03

From

M. Narain Rao Esquire,
Deputy Commissioner,
Kadur District.

To

H. V. Venugopala Iyengar Esquire M.A. B.L.
Secretary to the Government
of Mysore, General and
Revenue Departments.

Sir,

With reference to Government
Official memo No 255 dated
5th August 1902 calling for report
on the petition of Viswesvaraiah of
Kigga in the Koppa Taluk appealing
against the order of the Deputy
Commissioner, directing the
attachment of his moveable
property for the arrears of Kan-
dayam due by him to the
Kigga Temple, and in continu-
ation of my office letter No 280 of

of the 6th November 1902, I have the
honor to State that appellant -
Visweswariah was a Parupattegar
of the Rigga Temple till August 1901
when he resigned. For the recovery
of the arrears of Kandayam due by
the petitioner on account of the temple
Inam land, a demand notice was
served on him on 18th August 1901, and
the amount not having been paid,
orders were issued to proceed
against his moveable property
Accordingly property estimated
at Rs 1725- a--- was attached. In
the meanwhile the appellant
presented petitions to the Deputy
Commissioner representing that
large sums of money were due to
him by the temple and that de-
-ductions should be made from
the amount demanded of him
Thereupon after needful enquiry
the Late Mr. B. G. Krishnaiengar,
then Deputy Commissioner, ordered
on

On 12th June 1902 that two items of Rs 450 and 871 claimed by petitioner might be excluded from the demand pending the final disposal of his claims, and that if the petitioner paid the balance due, the attachment of his moveables might be waived. It is against this order the appellant has now appealed to Government.

2. The question of the monies due by petitioner to the temple formed the subject of correspondence ending with Government Proceedings No. 1201 dated 9th May 1901 and No 559-60 Inwd. No. 731-94 dated 20th September 1902, to which Inwd No. 1 94 I beg to invite reference. From the detailed statements which accompanied this office letter No 988 dated 1st February 1899, it will be seen that a sum of Rs 1909-2-4 was due by petitioner Viswesw ariah to the temple up to the end of 1896-97. The following statement which has been accepted by petitioner brings his account up to the end of 1901-02

Rs 1,909-2-4 Due up to the end of 1896 97

3,862-12-2 Kandayam due from 1897 98 to 1901-02 inclusive (Statement D in record)

135-2-9 Balance in the hands of petitioner at the time of the transfer of the management of the temple to Government in September 1897.

43-0-0. Amount not included in list produced by petitioner in 1899.

Rs 5,950-1-3 Total due by petitioner at end of 1901-02.

3. Towards the above, petitioner has paid Rs 2,008-10-0 from 1897-98 to 30th June 1902 as shewn in Statement D, leaving a balance of Rs 3,941-7-3, still due by him. He claims a set-off to the extent of Rs 2694-4-9, and admits his indebtedness of the balance, viz; Rs 1247-2-6. The claims are set forth below:—

Item No I Rs 996-13-4.

4. A sum of Rs 2,508-15-0 was entered in list A which accompanied this office letter

letter No 958 of the 1st February 1899
as having been spent by petitioner
for temple service during 1896-97
He has now furnished a statement
marked (C) based upon the temple
accounts, shewing that the expen-
-diture during the twelve months
of that year has actually amounted
to Rs 3,505-12-4. As the Amildar
has verified these figures, they
may be accepted. The difference
of Rs 996-13-4 has accordingly to
be set-off in favor of the Petitioner.

Item No II 5. This sum represents
Rs 450- " " the amount of interest
collected during the
years 1895-96 and 1896-97
from Hedave Seetha-
-rama Sastry to whom
the endowment of Rs 3,500/-
made by petitioner's
brother Puttu Rao for
Prathahkala Puja ser-
vice referred to in Govern-
ment Proceedings No 559-60 of
Judg. Jl 1-94
the 20th September 1902 has
been

been lent. The amount has been deposited by the Petitioners in the Government Savings Bank in the name of the temple. The petitioner alleges that he performed the Puja service upon which the interest is intended to be spent, at his own expense as observed in the Government order quoted, there is no guidance at this distance of time, to disprove the petitioners statement that he conducted the Puja service properly. On the other hand petitioners statement is supported in a way by the entries in the temple accounts, which shew that Rs 473-13-0 was expended during the two years 1895-96 and 1896-97 on the Puja service in question (vide Statement E) Moreover, as according to Pattu Rao's deed of endowment, the interest money

money is to be paid to the Petitioner as Paraveni-pattigar, the latter's claim to the sum of Rs 450/- in the Savings Bank may be recognized and he may be allowed to withdraw the deposit. The amount, if brought on the temple accounts as assets will have to be written off.

Item No III
Rs 795--0-9

6. The Paditara allowance of the temple from 1st March to 15th August of amounting to Rs 871-10-9 is said to have been withheld from Petitioner. Out of this, the Petitioner agrees to deduct a sum of Rs 76-10-- which Shanbogue Venkata-chellaiah has promised to pay him and to receive the balance of Rs 795--0-9 only

in full satisfaction of this claim.
The Auditor has not thus far
certified to the correctness
of this claim nor has he
reported the circumstances
under which the Pretense
allowance for the period
in question had been with
-held. A further report
has been called for on
this point and the claim
will be disposed of on
its receipt.

Item No. 11
R. 153. 2. 8.

7. An estimate of the 2nd Ass
was submitted for the
repair of the Chimneys
of the Quarters and the
work was recommended
to Washington for execution.
Requisition on the usual
form for $75.00 was made to have
the work executed before
the end of the present fiscal
year. Since the work was done
by the Quartermaster's Dept.
it was not necessary that
a voucher should be
forwarded to this office.

Item No. 1
R. 294 4 "

8. This is a claim for
services rendered as
Guard in charge of

of Rs 700/- towards restoration of the Gopuram of the temple. He now contends that the said sum was inclusive of a subscription of Rs 400/- promised by the Sringeri Matt towards the said work. The Matt paid its subscription by remitting Rs 299-4-0 to the Kappa Taluk Treasury and supplying petitioner with materials of the value of Rs 100-12-0. He requests therefore that the Cash payment of Rs 299-4-0 by the Matt may be refunded to him or taken to his credit in settling the demand against him on behalf of the Temple.

The record connected with these contributions has to be referred to, before a decision can be arrived at as regards Petitioner's claim

The

The Amildar has been asked to send up the record at once. If necessary, a reference will be made to the Sringeri Matt and the claim settled in due course.

9. Pending the settlement of the claims referred to in paras 6 and 8 above (Items Nos III and IV), the Amildar of Kopp a Taluk has been directed to recover from Petitioner the Sum of Rs. 1,247-2-6 in two instalments as agreed to by the latter in his Statement dated the 29th November 1902 and I hope he will discharge his debt to the temple without further delay. The Amildar has further been directed to take Coercive measures if the payment is not made within the end of February next.

10. The Vernacular papers connected with the case are herewith submitted for further reference and obliging return.

I have the honor to be,
Sir,
your most obedient Servant

M. Narain Rao
Deputy Commissioner
Kadur District

HR.

1902 p 3

From The Deputy Commissioner
Kandy District

To The Secretary to Govt
Govt & Rev: Departments

Dated 12th February 1903

Despatched 13th

Received R2890

General No. 460
No.

Reference
S.
[illegible]

Revenue Department

Correspondence

Letter No 412 of 4/1/03
quoted in this.

M
2/3/03

Noted

Noted in Correspondence
the Petn Branch.

Peter Branch

3 Please See
Letter book & pending
Branch this [illegible]

Status that in Continuation of this office letter no 412 of 14th January, the Kappa Amildar has certified to the Correctness of the Petitioners hitherto average claim to the arrears of Padithara allowance of Rs 795-0-9.

642 Chancery
2 16 2 Mins Dept
11/6/2/03

Rec'd 18.2.03

MGCPB—50 reams.—6-12 02.

No

Deputy Commissioner's Office
Kadur District
Chikmagalur 12th February 1903

From.

M Narain Rao Esqr
Deputy Commissioner
Kadur District

To. H. V. Nanjundayya Esqr M.A. M.L.
Secretary to the Government of Mysore,
General and Revenue Departments

Sir,

In continuation of para 6 of this office letter no 412 of the 24th January 1903, I have the honor to state that the Amildar of Koppa has in his Memo no 419 dated 30th idem, certified to the correctness of petitioner Visweswarayya's claim to the arrears of Paditaras allowance of Rs 795-0-9 due to him, stating that the payment of this amount was withheld for want of funds at the credit of the Sri Rishya Sringeswara swami Temple. This item has accordingly been allowed to be set off in favor of the Petitioner in the adjustment of his account with the temple.

2. In regard to the other item of Rs 299-4-0 referred to in para 8 of the letter quoted above, further report will be submitted on receipt of the Vernacular papers connected with the case from the Deputy Secretary, Mulki Department to whom a reference has been made in this

office

Offic letter n° 971 dated 7th February 1903.

I have the honor to be
Sir,
Your most obedient servant

Mr Marsham Rad
Dy Deputy Commissioner.

MUZRAI SECRETARIAT

19 —19

From

L. ANANTASAMI RAO, Esq., B A,
DEPUTY SECRETARY TO THE
GOVERNMENT OF MYSORE,
MUZRAI DEPARTMENT.

To

The Dy Commr
Kadur District

Dated 2d Sept
Despatched [illegible] 1903
Received

General No. 633
Muzrai F. No. 1-94.

Enclosure No. Nil

His Letter no 460
dated 13th February 1903
to the address of the
Secretary to Govt- Revenue
Revenue Departments,
regarding (which was
transferred to this Dept)
regarding the arrears
of Kandayam due to the
Kengya Temple by Visvas
-wara of Kengya

Kappa Index.

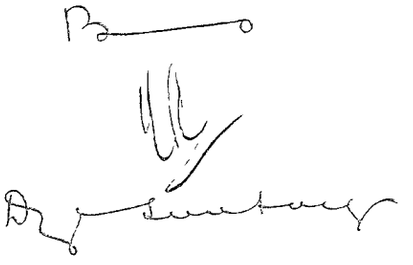
In the second para of the letter, the Dy Comr states that in regard to the item of Rs 299-4-4 recoverable from Visweswaraiah further report will be submitted on receipt of Vouchers papers connected with the case from this ~~Dn~~ Office which were ~~submitted~~ requested in ~~with~~ the Dy Comr's letter no 971 dated 7th January 1903 -

As the records alluded to above have been already forwarded to the Dy Comr with this Office Docket no 2203 dated 9th Jany 1903 - 1-94

11th January 1903, he is requested to expedite the submission of

of the proposed report-

early



DFC.

ks
1/9/03

MYSORE GOVERNMENT
1792
MUZRAI SECRETARIAT

1904

From

The Deputy Commissioner
Kadur District

To

The Deputy Secretary to the
Government of Mysore
General Department

Rec'd
15/2/04
ks

Dated 9th

Despatched 13th February 1904

Received

General No. 394
No.

Enclosure No. one

Submitting copy of
memorandum on the settle-
ment of Devarahalli, as
recently with the Sri Renuka
Jangama Swamy Temple
at Bigga, Koppa Taluk

Deputy Commissioner's Office,
Kadur District,
Chikmagalur 9th February 1904.

From

M Narain Rao Esqure
Deputy Commissioner
Kadur District

To.

L. Anantasami Rao Esqure B.A.,
Deputy Secretary to the Government
of Mysore, Munzrai Department

Sir,

With reference to your docket no. 633 / Misc 71-94 dated 2d September 1903, regarding the item of Rs. 299-4-0 recoverable from Viswesvaraiya of Kugga, Koppa Taluk, I have the honor to submit herewith a copy of my office memorandum on the subject of the settlement of Visweswaraiya's accounts with the Sri Rishya Sringeswaraswami Temple up to end of 1901-02.

I have the honor to be,

Sir,

your most obedient servant,

M Narain Rao

Deputy Commissioner
Kadur District

Memo

Visvesvaraya's account with the Kigga temple up to and of 1901-02

(1) Due by him up to and of 1896-97.	1909-2-4
(2) Kandayam due from 1897-98 to 1901-02.	3862-12-2
(3) Cash in his hands at the time of the transfer of the management of the temple to Government in 1897.	135-2-9
(4) Additional amount found due and not included in his list produced in 1899.	43-0-0.
Total due	5950-1-3

(Vide para 2 of this Office letter no. 412 dated 14.1.1903.)

Payments and adjustments.

(1) Cash payments up to 30th June 1902 (from 1897-98) (Vide para 3)	2008-10-0
(2) Amount spent by him over and above Rs. 2508-15-0 for Temple service in 1896-97 and accepted in his favor (Vide para 4)	996-13-4
(3) Interest deposited in the Savings Bank by him in the name of the Temple and settled to be	

paid to him as it was
intended to be expended
for the Kachcheri which
Visvanathaya was found
to have done. (vide para 5) 450-0-0

(4) Amount of Vidhana
allowance due to him
from 1st March to 15th
August 1901. (vide para 6) 795-0-9

(5) Balance payable to him
for the repair of the Chandra-
sala of the temple (vide para 7) 153-2-8

(6) Total amount since recovered
from him. (vide para 9) 1247-2-6 ÷

6650-13-3.

÷ Vide postscript Auditor's report no. 278
dated 19.10.1902.

Net balance payable by
Visvanathaya at the end
of 1901-02. Rs. 299-4-0.

For the adjustment of this balance,
Arunachalam regards that the amount of
contribution viz Rs. 299-12-0 paid by the
Sangam Mudali towards the repairs of the
temple may be treated as a set off.

The Auditor reports that beyond the
one entry on 11-11-1893 in the subscription book
opened

opened by Kiswesvaraiya wherein Rs 400/- was promised by the Sringeri Matt, no other record is forthcoming to show what amounts were collected by Kiswesvaraiya and who were the contributors for the Rs. 700 paid by Kiswesvaraiya as contribution.

*

(a) Rs. 299-12-0 credited by the Matt to the Koppa Taluk Treasury on 3rd December 1894.
(b) 100-4-0 worth of materials supplied to Kiswesvaraiya.
Rs. 400-0-0

*credited in the Koppa Taluk Treasury on 28.12.1895.

In his letter dated 17th April 1894 the Sringeri Amildar states that the Matts contribution should not be included in the amount that the desciples may have promised, in other words, that the amount should be treated as an independant donation.

Vide my notes dated 27.7.1903. Paper no. 26/1 in the file.

It is now clear that Kiswesvaraiya intended to collect a subscription of Rs. 700/- from persons interested in the temple, apart from the sum of Rs. 400/- subscribed by the Sri Sringeri Matt. It may be true that he did not succeed in getting the public to subscribe as he hoped to and that he had to pay the whole of the promised contribution of Rs 700/- from his own pocket, but such payment does not

not entitle him to take any portion of the Matt's subscription. The Matt paid its subscription direct to the Treasury on the 3rd December 1894 on the distinct understanding that it should not be included in any subscriptions which the disciples of temple may have promised. (Vide Jaghire Deputy Amildar's letter dated 17th April 1894 to the General Assistant Commissioner) and Visweswaraiya paid his subscription of Rs. 700/- on the 28th December 1895 or a year later. If the orignal arrangement was as alleged by Visweswaraiya, he would not have paid the whole of the Rs. 700/- in question without protest, with the full knowledge that the Matt had paid its subscription a year previously. Under these circumstances, Visweswaraiya claim to the sum of Rs. 299.12.0 paid by the Matt for the repair of the temple is disallowed.

The Amildar is directed to recover from Visweswaraiya the sum of Rs. 299-4-0 due by him to the temple as per para 1 above, as also the outstandings for the year 1902-03, by the adoption of coercive measures if necessary.

The account of Visweswaraiya with the temple should be adjusted in the

manner

manner above set forth and he should be furnished with a copy of it.

Chikmagalur
Dated 13-1-1904.

[Sd.] M. Narain Rao
Deputy Commissioner
Kadur District

Copy

[illegible]
Deputy Commissioner
Kadur District

Read:

Petition of [illegible]
No 323 of 1902 from
Visweswaraiya of Kiggal
Koppa Taluk, praying
Commissioners order directing
the adoption of coercive
measures for the recovery
of arrears of rent due by
the petr on the inam lands
of the Sri Rishya Shringeswara
Swamy temple at Kiggal

Read also:—
~~The following~~ letter No.
addressed to the Secy. to Govt. Genl. & Revenue Dept No.
412 dy 19th January 1903 from
the Dy Commr, Kadur Districk
reporting on the above

~~Enclosure~~

Order thereon:— No: 1435-6. dy 17/10/04
Affd:

F. Issue file
on receipt of counter

Not necessary KR
7/10/04

perusal of the records in connection with the case of the appellant Viswesvaraya Gov.t observe that the main point now requiring others is, whether the sum of Rs 400 paid by the Sri Sringeri Matt — Rs 297-4-0 in cash and Rs 100 12-0 in materials — is included in the sum of Rs 700 promised by Viswesvaraya as contribution towards the restoration of the Gopuram of the Kiggā temple The Sringeri Jahgir Deputy Amildars letter clears any doubt that may be entertained on this point as he states that the subscription by the Matt is independent of all subscriptions that

might be collected from the Disciples. Further, the sum of Rs 297 4·0 above referred to, was paid ~~loaned~~ by the Hoppa Talk Treasurer direct by the mail on the 3rd December 1874 and the materials were handed over to Visweswaraiya, while the sum of Rs 700 promised by Visweswaraiya was paid by him as C/f by the same Treasury on the 28th December 1875 i.e, a year later than the mail remittance. If therefore the sum of Rs 400, being the Rs on exception, were included in the sum of Rs 700 Visweswaraiya would not

have failed to deduct the amount for the payment made to Sivagnana Pillai or if he failed to take cognizance of the cash payment by the Math, he would certainly have deducted at least the value of the materials from the 700 Rs which he paid. In this view the claim of Visweswaraya cannot be admitted. Government therefore do not find sufficient reasons to reverse the order of the Dy Comm^r. who has rightly directed the Tahsildar to recover from Visweswaraya the sum of Rs 299-4-0 due by him to the temple, as also the ex Tahsildars for the years 1902 1903 The same is accordingly respected

7/10/04

Dewan's order
7/10/04

Secy to Govt

To the Dy Comm^r.
Madura Dist
Secy to Govt Genl & Rev
Dept

Govt Appellant